



IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)
)
)
v.) No. 1:17-CR-20
)
MATTHEW S. ROCCO,)
)
Defendant.)

STATEMENT OF FACTS

The United States and the defendant, MATTHEW S. ROCCO, stipulate that the allegations in Count One of the Indictment and the following facts are true and correct, and that had this matter gone to trial, the United States would have proven them beyond a reasonable doubt with credible and admissible evidence:

1. In June, August, and December 2014, and in March and April 2015, Internet Protocol (IP) addresses that were assigned to defendant MATTHEW S. ROCCO's residence connected to a peer-to-peer file-sharing network and linked to suspected child pornography files that were available over that network.
2. On or about April 16, 2015, law enforcement officers executed a search warrant on defendant's residence and seized several computer devices. After the search, law enforcement conducted a forensic analysis of the computer media seized from defendant's residence.
3. On or about April 16, 2015, defendant knowingly possessed child pornography files on the following computer devices that belonged to defendant:
 - a. an HP Mini laptop, S/N: CNU9477Z0G;

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- b. a SanDisk 64GB thumb drive that, at the time of the search warrant, was located in defendant's PlayStation 3 console.
4. Collectively on these devices, defendant knowingly possessed approximately 7,217 images and 664 videos depicting child pornography. These images and videos depict actual children under 18 years old engaging in sexually explicit activity. Some videos depict minors under the age of 12 who have been bound by rope or gagged, or otherwise depict violent and sadomasochistic imagery.
5. The visual depictions of child pornography found on defendant's devices were produced using materials that had been mailed, shipped, or transported in interstate or foreign commerce by any means, including by computer.
6. Forensic analysis of defendant's HP Mini laptop revealed that defendant had used the laptop's Internet browser to search for "pthc," "eMule tara," "8yo." and "8yr," which are indicative of searches of child pornography
7. This statement of facts includes those facts necessary to support the plea agreement between defendant and the government. It does not include each and every fact known to the defendant or to the government and it is not intended to be a full enumeration of all of the facts surrounding the defendant's case.
8. The actions of the defendant, as recounted above, were in all respects intentional, knowing, and voluntary. They were not committed by mistake, accident or innocent reason.

Dana J. Boente
United States Attorney

Date: July 18, 2017

By: Maya D. Song
Maya D. Song
Alexander P. Berrang
Assistant United States Attorneys

Defendant's stipulation and signature: After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, MATTHEW S. ROCCO, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

July 18, 2017
Date



MATTHEW S. ROCCO
Defendant

Defense counsel's signature: I am MATTHEW S. ROCCO's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.

7/18/17
Date



Peter S. Greenspun, Esq.
Attorney for MATTHEW S. ROCCO